

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JAKYIOUS YONTRAYLE LASKER,

Plaintiff,

v.

LANDSTAR RANGER, INC. and
JUAN E. RAMIREZ,

Defendants.

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Civil Action No. 4:22-CV-3464

JURY DEMANDED

LANDSTAR RANGER, INC.'S NOTICE AND PETITION FOR REMOVAL

TO THE HONORABLE COURT:

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant, LANDSTAR RANGER, INC., (“Defendant”), in Cause No. CV22-09-0610 pending in the 506th Judicial District Court of Waller County, Texas, files this Notice and Petition for Removal from that Court to the United States District Court for the Southern District of Texas, Houston Division on the basis of diversity of citizenship and amount in controversy and respectfully shows:

**I.
FACTUAL BACKGROUND**

1.1. On or about September 13, 2022, Plaintiff filed his Original Petition (Ex. A) in the matter styled *Jakyious Lasker v. Landstar Ranger, Inc. and Juan E. Ramirez*, Cause No. CV22-09-0610; In the 506th Judicial District Court of Waller County, Texas, in which Plaintiff seeks recovery against Defendants for negligence.

**II.
BASIS FOR REMOVAL**

2.1. Removal is proper and based upon diversity of citizenship under 28 U.S.C. §§1332(a)(1), 1441(a), and 1446.

2.2. Plaintiff Jakyious Lasker was, at the time the lawsuit was filed, and is, a resident of the State of Texas. *See* Ex. A, Plaintiff's Original Petition, paragraph 2.1.

2.3 Defendant Landstar Ranger, Inc. is a Delaware corporation that operates its headquarters and principal place of business in Jacksonville, FL. Under 28 U.S.C. §1332, a corporation is a citizen in the state by which it is incorporated and the state where its principal place of business is located. *See* Ex. B – Florida Secretary of State Business Search.

2.4 Defendant Juan E. Ramirez is an individual and is a resident of the State of Florida. *See* Ex. A, Plaintiff's Original Petition, paragraph 2.2.

A. The Amount in Controversy Exceeds the Jurisdictional Requirements for Subject Matter Jurisdiction.

2.5. Plaintiff "seeks monetary relief of over \$1,000,000.00". *See* Ex. A, Plaintiff's Original Petition, paragraph 1.1.

III. THE REMOVAL IS PROCEDURALLY CORRECT

3.1. Defendant made an appearance in the state court action on October 7, 2022 (*See* Exhibit "C" – Defendant Landstar Ranger, Inc.'s Original Answer). Defendant files this Notice of Removal within the 30-day time period required by 28 U.S.C. § 1446(b).

3.2. Venue is proper in this district and division under 28 U.S.C. § 1446(a) because this district and division include the county in which the state action has been pending.

3.3. Pursuant to 28 U.S.C. § 1446(d), promptly after Defendant files this notice, written notice of the filing will be given to Plaintiff, the adverse party.

3.4 Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Notice and Petition for Removal will be filed with the Waller County District Clerk, promptly after Defendant files this notice.

**IV.
CONCLUSION**

Based upon the foregoing, the exhibits submitted in support of this Removal and other documents filed contemporaneously with this Notice of Removal and fully incorporated herein by reference, Defendant hereby removes this case to this court for trial and determination.

Respectfully submitted,

HANSZEN LAPORTE LLP

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**Attorney for Defendant,
Landstar Ranger, Inc.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of October, 2022, a true and correct copy of Defendants' Notice and Petition for Removal was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on the following attorney in charge for Plaintiffs:

Johnny N. Garza, Jr.
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Houston, Texas 77009
Attorney for Plaintiff

Via E-Service: johnny@htxtriallawyers.com

/s/ H. Mark Burck
H. MARK BURCK